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UNITED
NATIONS

FOURTH WORLD
CONFERENCE ON WOMEN

Beijing, China
4-15 September 1995

Distr.
LIMITED

A/CONF.177/L.5/Add.9
13 September 1995

ORIGINAL: ENGLISH

Agenda item 9

PLATFORM FOR ACTION

Report of the Main Committee

Addendum

1. At the ___ meeting, on ___ September 1995, the Main Committee approved chapter IV, section E, of the draft platform for action and recommended it to the Conference for adoption. Statements were made by the representatives of _____.

2. The text of chapter IV, section E, reads as follows:

E. Advance peace, promote conflict resolution and reduce the impact of armed or other conflict on women

132. [An environment which maintains world peace and promotes human rights, democracy and the peaceful settlement of disputes, [upholding the principles of non-threat or non-use of force and of mutual respect for territorial integrity and sovereignty is a precondition for the advancement of women.] [Without peace, there will be no equality or development.] Armed and other types of conflicts have not decreased since the end of the cold war; aggression, [foreign occupation] ethnic and religious and [other types of] conflicts are an ongoing reality affecting women in nearly every region. Gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of human rights continue to occur in different parts of the world. Such violations and obstacles include, as well as torture and cruel, inhuman and degrading treatment or summary and arbitrary detention, all forms of racism, racial discrimination, xenophobia, denial of economic, social and cultural rights, and religious intolerance. Terrorism is a new and emerging global phenomenon. International humanitarian law, prohibiting attacks on civilian populations, is systematically ignored; [human rights are being violated by [all] parties in armed conflicts.] Armed conflict has resulted in serious violations of the human rights of women,

including murder, torture, systematic rape [and its consequences] [and forced pregnancy], especially where ethnic cleansing is a strategy of war. Some of these situations of armed conflict have their origin in the conquest or colonialization of one country by another country or State and the perpetuation of that colonial situation through State and military repression.]

133. The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949, and the Additional Protocols of 1977 provide that women shall especially be protected against any attack on their honour, in particular against humiliating and degrading treatment, rape, enforced prostitution or any form of indecent assault. 22/ The Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, states that "Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law". 23/ Gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of human rights continue to occur in different parts of the world. Such violations and obstacles include, as well as torture and cruel, inhuman and degrading treatment or summary and arbitrary detention, all forms of racism, racial discrimination, xenophobia, denial of economic, social and cultural rights and religious intolerance.

134. Violations of human rights in situations of armed conflict and military occupation are violations of the fundamental principles of international human rights and humanitarian law as embodied in international human rights instruments and in the Geneva Conventions of 1949 and the Additional Protocols thereto. Gross human rights violations and policies of ethnic cleansing in war-torn and occupied areas continue to be carried out. These practices have created, inter alia, a mass flow of refugees and other displaced persons in need of international protection and internally displaced persons, the majority of whom are women, adolescent girls and children. Civilian victims, mostly women and children, often outnumber casualties among combatants. In addition, women often become caregivers for injured combatants and find themselves, as a result of conflict, unexpectedly cast as sole manager of household, sole parent, and caretaker of elderly relatives.

135. In a world of continuing instability and violence, the implementation of cooperative approaches to peace and security is urgently needed. [[In implementing cooperative approaches to peace and security] [This requires that] emphasis [should] be given to preventive strategies and to peace-building as a particular prevention-oriented concept. The perspective of women would provide a more constructive approach to the use of power and the resolution of conflict.] Although women have begun to play an important role in conflict resolution, peace-keeping, and defence and foreign affairs mechanisms, they are still underrepresented in decision-making positions. If women are to play an equal part in securing and maintaining peace, they must be empowered politically and economically and represented adequately at all levels of decision-making.

136. While entire communities suffer the consequences of armed conflict, terrorism and [foreign occupation and alien domination], women and girls are particularly affected because of their status in society and their sex. Parties to conflict often rape women with impunity, sometimes using systematic rape as a tactic of war and terrorism. The impact of violence against women and violation

of the human rights of women in such situations is experienced by women of all ages, who suffer displacement, loss of home and property, loss or involuntary disappearance of close relatives, poverty and family separation and disintegration and who are victims of acts of murder, terrorism, torture, involuntary disappearance, sexual slavery, rape [and its consequences], sexual abuse [and forced pregnancy], especially as a result of policies of ethnic cleansing and other new and emerging forms of violence. This is compounded by the life-long social, economic and psychologically traumatic consequences of armed conflict [and foreign occupation].

137. Women and children constitute some 80 per cent of the world's millions of refugees and other displaced persons, including internally displaced persons. They are threatened by deprivation of property, goods and services and deprivation of their right to return to their homes of origin as well as by violence and insecurity. Particular attention should be paid to sexual violence against uprooted women and girls employed as a method of persecution in systematic campaigns of terror and intimidation and forcing members of a particular ethnic, cultural or religious group to flee their homes. Women may also be forced to flee as a result of a well-founded fear of persecution for reasons enumerated in the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, including persecution through sexual violence or other gender-related persecution, and they continue to be vulnerable to violence and exploitation while in flight, in countries of asylum and resettlement and during and after repatriation. Women often experience difficulty in some countries of asylum in being recognized as refugees when the claim is based on such persecution.

138. Refugee, displaced and migrant women in most cases display strength, endurance and resourcefulness and can contribute positively to countries of resettlement or to their country of origin on their return. They need to be appropriately involved in decisions that affect them.

139. Many women's non-governmental organizations have called for reductions in military expenditures worldwide, as well as in international trade and trafficking in and the proliferation of weapons. Those affected most negatively by conflict and excessive military spending are people living in poverty, who are deprived because of the lack of investment in basic services. Women living in poverty, particularly rural women, also suffer because of the use of arms that are particularly injurious or have indiscriminate effects. There are more than 100 million anti-personnel land-mines scattered in 64 countries globally. The negative impact on development of excessive military expenditures, the arms trade, and investment for arms production and acquisition must be addressed. [At the same time, maintenance of national security and peace [*is an important* factor] [is essential] for economic growth and development and the empowerment of women.]

140. [International stability and security are prerequisites for economic growth and development. In the new international setting, military strength is no guarantee of security. The effects of mass migration, crime, the drug problem, disease, human rights violations, environmental degradation, pressures of population growth and underdevelopment transcend national borders. These new

challenges to peace and security have implications at the local, regional and global levels.]

141. During times of armed conflict and the collapse of communities, the role of women is crucial. They often work to preserve social order in the midst of armed and other conflicts. Women make an important but often unrecognized contribution as peace educators both in their families and in their societies.

142. Education to foster a culture of peace that upholds justice and tolerance for all nations and peoples is essential to attaining lasting peace and should be begun at an early age. It should include elements of conflict resolution, mediation, reduction of prejudice and respect for diversity.

143. In addressing armed or other conflicts, an active and visible policy of mainstreaming a gender perspective into all policies and programmes should be promoted so that before decisions are taken an analysis is made of the effects on women and men, respectively.

[Increase the participation of women in conflict resolution and protect women in armed and other kinds of conflict and under foreign occupation]

Strategic objective E.1. Increase and strengthen the participation of women in conflict resolution and decision-making and leadership in peace and security activities and protect women in armed and other conflicts [and living under foreign occupation]

Actions to be taken

144. By Governments and international and regional intergovernmental institutions:

(a) Take action to promote equal participation of women and equal opportunities for women to participate in all forums and peace activities at all levels, particularly at the decision-making level, including in the United Nations Secretariat with due regard to equitable geographical distribution in accordance with Article 101 of the Charter of the United Nations;

(b) Strengthen the role of women and [increase the percentage of women at all decision-making levels in national and international institutions which may make or influence policy with regard to matters related to peace-keeping] [including observer missions] [peace-building, fact-finding and preventive diplomacy activities,] and in all stages of peace mediation and negotiations, [in line with the specific recommendations of the Secretary-General in his strategic plan of action for the improvement of the status of women in the Secretariat (1995-2000) (A/49/587, sect. IV)];

(c) Integrate a gender perspective in the resolution of armed or other conflicts [terrorism] [and foreign occupation] and aim for gender balance when nominating and promoting candidates for judicial and other positions in such international bodies as [war crime tribunals,] including the United Nations International Tribunals for the former Yugoslavia and for Rwanda, the International Court of Justice as well as in other bodies related to the peaceful settlement of disputes;

(d) Ensure that these bodies are able to address gender issues properly by providing appropriate training to prosecutors and judges and other officials in handling cases involving rape [and its consequences], [forced pregnancy], indecent assault and other forms of violence against women in armed conflicts [terrorism] [and foreign occupation] and integrate a gender perspective into their work;

(e) Strengthen the participation of women in processes of national reconciliation and reconstruction after all forms of conflict.

Strategic objective E.2. [Reduce military expenditures and control ie availability of armaments] [Reduce and eliminate the availability of instruments of violence against women]

Actions to be taken

145. By Governments:

(a) Increase and hasten, as appropriate, subject to national security considerations, the conversion of military resources and related industries to development and peaceful purposes;

(b) Undertake to explore new ways of generating new public and private financial resources, inter alia, through the appropriate reduction of excessive military expenditures, including global military expenditures, trade in arms and investment in arms production and acquisition, taking into consideration national security requirements, so as to permit the possible allocation of additional funds for social and economic development, in particular for the advancement of women;

(c) [[Submit data to the United Nations Register of Conventional Arms and consider expanding the Register to widen the scope of weapons covered] [Improve the universality of the United Nations Register of Conventional Arms as an effective measure for building confidence at the global level [and include in their annual reports information on military holdings and procurement through national production]. Register, and ultimately eliminate, offensive weapons development, production, deployment and sales and, as a first step, expand the [United Nations Register of Conventional Arms to include production and marketing], making reporting obligatory, and to include all types of weapons, such as nuclear, chemical and biological weapons];

(d) While acknowledging legitimate national defence needs, recognize and address the dangers to society of armed conflict and the negative effect of excessive military expenditures, trade in arms, especially those arms that are particularly injurious or have indiscriminate effects, and excessive investment in arms production and acquisition; similarly, recognize the need to combat illicit arms trafficking, violence, crime, the production and use of and trafficking in illicit drugs, and trafficking in women and children;

(e) [Immediately adopt/Consider the adoption of a moratorium on the export and planting of anti-personnel land-mines, and facilitate the transfer of mine clearance technology without restriction or discrimination; undertake to destroy current stockpiles of anti-personnel land-mines; promote assistance in mine clearance, in particular to promote scientific research aimed at rapid advancement of mine detection and clearance technology; and consider ratifying the 1981 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects 24/ and the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices 24/ (Protocol II);]

(f) [Promote the elimination of all weapons of mass destruction, especially nuclear weapons.]

Strategic objective E.3. Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations

Actions to be taken

146. By Governments:

(a) Consider the ratification of or accession to international instruments containing provisions relative to the protection of women and children in armed conflicts, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949, the Protocols Additional to the Geneva Conventions of 1949 relating to the Protection of Victims of International Armed Conflicts (Protocol I) and to the Protection of Victims of Non-International Armed Conflicts (Protocol II);

(b) Respect fully the norms of international humanitarian law in armed conflicts and take all measures required for the protection of women and children, in particular against rape, forced prostitution and any other form of indecent assault.

147. By Governments and international and regional organizations:

(a) Reaffirm the right of self-determination of all peoples, in particular of peoples under colonial or other forms of alien domination or foreign occupation, and the importance of the effective realization of this right, as enunciated, inter alia, in the Vienna Declaration and Programme of Action, 2/ adopted by the World Conference on Human Rights;

(b) Encourage diplomacy, [preventive diplomacy,] negotiation and peaceful settlement of disputes in accordance with the Charter of the United Nations, in particular Article 2, paragraphs 3 and 4 thereof;

(d) Urge the identification and condemnation of the systematic practice of rape and other forms of inhuman and degrading treatment of women as a deliberate instrument of war and ethnic cleansing and take steps to ensure that full assistance is provided to the victims of such abuse for their physical and mental rehabilitation;

(e) Reaffirm that rape in the conduct of armed conflict constitutes a war crime and under certain circumstances it constitutes a crime against humanity and an act of genocide as defined in the Convention on the Prevention and Punishment of the Crimes of Genocide; take all measures required for the protection of women and children from such acts and strengthen mechanisms to investigate and punish all those responsible and bring the perpetrators to justice;

(f) Uphold and reinforce standards set out in international humanitarian law and international human rights instruments to prevent all acts of violence against women in situations of armed and other acts of conflict; undertake a full investigation of all acts of violence against women committed during war, including rape, in particular systematic rape, forced prostitution and other forms of indecent assault and sexual slavery, prosecute all criminals responsible for war crimes against women and provide full redress to women victims;

(g) Call upon the international community to condemn and act against all forms and manifestations of terrorism;

(h) Take action to investigate and punish members of the police, security and armed forces and others who perpetrate acts of violence against women, violations of [international humanitarian law] and violations of the human rights of women [who violate the human rights of women] in situations of armed conflict;

(i) Take into account gender-sensitive concerns in developing training programmes for all relevant personnel on international humanitarian law and human rights awareness and recommend such training for those involved in United Nations peace-keeping and humanitarian aid, with a view to preventing violence against women, in particular;

(j) [Encourage the elimination of and abstain from adopting unilateral coercive measures, in violation of international law and the Charter of the United Nations, that go against the population of affected countries and, in particular, women and that could provoke situations leading to conflicts;]

(k) Take measures in accordance with international law with a view to alleviating the negative impact of economic sanctions on women and children.

Strategic objective E.4. Promote women's contribution to fostering a culture of peace

Actions to be taken

148. By Governments, international and regional intergovernmental institutions and non-governmental organizations:

(a) Promote peaceful conflict resolution and peace, reconciliation and tolerance through education, training, community actions and youth exchange programmes, in particular for young women;

(b) In reviewing the implementation of the plan of action for the United Nations Decade for Human Rights Education (1995-2004), take into account the results of the Fourth World Conference on Women: Action for Equality, Development and Peace; [Move subpara. to chap. IV, sect. I.]

(c) Encourage the further development of peace research, involving the participation of women, to examine the impact of armed conflict on women and children and the nature and contribution of women's participation in national, regional and international peace movements; engage in research and identify innovative mechanisms for containing violence and for conflict resolution for public dissemination and for use by women and men;

(d) Develop and disseminate research on the physical, psychological, economic and social effects of armed conflicts on women, particularly young women and girls, with a view to developing policies and programmes to address the consequences of conflicts;

(e) Consider establishing educational programmes for girls and boys to foster a culture of peace, focusing on conflict resolution by non-violent means and the promotion of tolerance.

Strategic objective E.5. Provide protection, assistance and training to refugee and displaced women [including internally displaced women]

Actions to be taken

149. By Governments, intergovernmental and non-governmental organizations and other institutions involved in providing protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women, including the Office of the United Nations High Commissioner for Refugees and the World Food Programme, as appropriate:

(a) Take steps to ensure that women are fully involved in the planning, design, implementation, monitoring and evaluation of all short-term and long-term projects and programmes providing assistance to refugee women, other displaced women in need of international protection and internally displaced women, including the management of refugee camps and resources; ensure that refugee and displaced women and girls have direct access to the services provided;

(b) Offer adequate protection and assistance to women and children displaced within their country and find solutions to the root causes of their displacement with a view to preventing it and, when appropriate, facilitate their return or resettlement;

(c) Take steps to protect the safety and physical integrity of refugee women, other displaced women in need of international protection and internally displaced women during their displacement and upon their return to their communities of origin, including programmes of rehabilitation; take effective measures to protect from violence women who are refugees or displaced; hold an impartial and thorough investigation of any such violations and bring those responsible to justice;

(d) While fully respecting and strictly observing the principles of non-refoulement of refugees, take all the necessary steps to ensure the right of refugee and displaced women to return voluntarily to their place of origin in safety and with dignity, and their right to protection after their return;

(e) Take measures, at the national level with international cooperation, as appropriate, in accordance with the Charter of the United Nations, to find lasting solutions to questions related to internally displaced women, including their right to voluntary and safe return to their home of origin;

(f) [Take account of the specific needs and resources of refugee and displaced women and children, especially their access to appropriate and adequate food, water, shelter and health-care services, including reproductive health services, in the provision of emergency relief and longer term assistance] [Ensure that the international community and the international organizations provide financial and other resources

to Governments in [countries of asylum] in order to provide emergency relief and longer term assistance that takes into account the specific needs and resources of refugee and displaced women and children, especially their access to appropriate and adequate food, water, shelter and health-care services including reproductive health services] [including vaccinations; provision of basic medicines and medicines related to tropical diseases, such as malaria and typhoid fever; full maternity care, including prenatal and postnatal care; dental care; and reproductive health care];

(New first alternative for second bracketed text)

Extend adequate international support to countries of asylum to meet the basic needs of refugees and to assist in the search for durable solutions. In providing emergency relief and long-term assistance to refugee populations, give special attention to the specific needs of refugee and displaced women and children. Provide refugee and displaced women and children with access to adequate accommodation, education, health services, including family planning, and other necessary social services.

(New second alternative for second bracketed text)

Ensure that the international community and the international organizations provide financial and other resources to the Governments concerned in order to provide emergency relief and longer term assistance that takes into account the specific needs and resources of refugee and displaced women and children, especially their access to appropriate and adequate food, water, shelter and health-care services.

(g) Facilitate the availability of educational material in the appropriate language - in emergency situations also - in order to minimize disruption of schooling among refugee and displaced children;

(h) Apply international norms to ensure equal access and equal treatment of women and men in refugee determination procedures and the granting of asylum, including full respect and strict observation of the principle of non-refoulement through, inter alia, bringing national immigration regulations into conformity with relevant international instruments, and consider recognizing as refugees those women whose claim to refugee status is based upon the well-founded fear of persecution for reasons enumerated in the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, including persecution through sexual violence or other gender-related persecution, and provide access to specially trained officers, including female officials, to interview women regarding sensitive or painful experiences, such as sexual assault;

(i) Support and promote efforts by States towards the development of criteria and guidelines on responses to persecution specifically aimed at women, by sharing information on States' initiatives to develop

such criteria and guidelines and by monitoring to ensure their fair and consistent application;

(j) Promote the self-reliant capacities of refugee women, other displaced women in need of international protection and internally displaced women and provide programmes for women, particularly young women, in leadership and decision-making within refugee and returnee communities;

(k) Ensure that the human rights of refugee and displaced women are protected and that refugee and displaced women are made aware of these rights; ensure that the vital importance of family reunification is recognized;

(l) Provide, as appropriate, women who have been determined refugees with access to vocational/professional training programmes, including language training, small-scale enterprise development training and planning and counselling on all forms of violence against women, which should include rehabilitation programmes for victims of torture and trauma [and substantially increase the international contribution to general programmes for assistance to refugees, particularly in countries which host the largest number of refugees];

(m) Raise public awareness of the contribution made by refugee women to their countries of resettlement, promote understanding of their human rights and of their needs and abilities, and encourage mutual understanding and acceptance through educational programmes promoting cross-cultural and interracial harmony;

(n) [Provide basic and support services to women who are displaced from their place of origin as a result of terrorism, violence, drug trafficking or other reasons linked to violence situations;]

(o) Develop awareness of the human rights of women and provide, as appropriate, human rights education and training to military and police personnel operating in areas of armed conflict and areas where there are refugees.

150. By Governments:

(a) Disseminate and implement the UNHCR Guidelines on the Protection of Refugee Women and the UNHCR Guidelines on Evaluation and Care of Victims of Trauma and Violence, or provide similar guidance, in close cooperation with refugee women and in all sectors of refugee programmes;

(b) Protect women and children who migrate as family members from abuse or denial of their human rights by sponsors and consider extending their stay, should the family relationship dissolve, within the limits of national legislation; [Subparagraph to be moved.]

[New strategic objective E.6. Provide assistance to the women of the colonies

Actions to be taken

151. By Governments, intergovernmental and non-governmental organizations:

(a) [Support and promote the recognition and implementation of the universal right of all peoples to self-determination and ensure that, by virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development, taking into account the interests of women of the colonies and providing special programmes in leadership and in training for decision-making;]

(b) [Raise public awareness through the mass media, education at all levels and special programmes to create a better understanding of the situation of women of the colonies].]